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January 14, 2011

Via Facsimile (718) 613-2446

The Honorable L. Leo Glasser  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York, 11201

Re: United States of America v. Doc  
District Court Docket No. 98CR1101 (ILG)  
Second Circuit Docket No. 10-2905 cr  
Our File No. 07765.00155

Dear Judge Glasser:

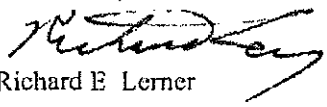
I attach a notice from the U.S. Court of Appeals from the Second Circuit, instructing that we provide, *inter alia*, a certified copy of the docket entries in this matter. I have spoken with Deputy Clerk Toneta Sula, who advised that a briefing schedule shall be issued shortly.

I hereby request that all events that have occurred, all records that have been generated, and all documents that have been submitted in this case since its inception in 1998 be properly docketed immediately, so that we may comply with the directive of the Second Circuit.

I also remind your honor that the order to show cause at issue has been fully briefed since November 24th, and is awaiting decision. Since it is a matter of public record – by virtue of the open docket and public judicial records in the matter of *US v. Lauria*, 98-CR-1102 (EDNY) – that Felix Sater pled guilty to racketeering and cooperated with the government's investigation of his racketeering, securities-fraud, and money-laundering co-defendants, and since Bayrock's general counsel widely circulated the documents at issue herein lawfully before any restraining order was ever issued by a court, these proceedings are moot. We again request your immediate decision on the pending OTSC.

Very truly yours,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

  
Richard E. Lerner

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Enclosure: Second Circuit's letter of January 14, 2011].

cc: **Via E-Mail**  
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Brian Herman, Esq.  
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Todd Kaminsky, Esq. – US Attorney's Office  
Joshua Bernstein  
Arnold Bernstein, Esq.  
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**Via U.S. Mail and ECF**  
Toneta Sula, Deputy Clerk  
U.S. Court of Appeals  
40 Foley Square  
New York, New York 10007